

REMARKS

Claims 57-63 are presented for consideration, with Claim 57 being independent.

Claim 57 has been amended to further distinguish the claimed invention over the cited art.

The amendment to the claim was not presented earlier as it was believed that the previously presented claims would be found allowable. This Amendment does not add any additional claims. Moreover, the Examiner's familiarity with the subject matter of the present application will allow an appreciation of the significance of the amendment herein without undue expenditure of time and effort. Finally, the Amendment does not raise new issues requiring further consideration or search. Accordingly, it is believed that entry of the Amendment is appropriate.

All of the claims, i.e., Claims 57-63, were rejected on obviousness-type double patenting grounds as allegedly being unpatentable over Claims 1-50 of U.S. Patent No. 5,760,538 (Mitsutake). This rejection is respectfully traversed.

Applicants' invention as set forth in Claim 57 relates to an electron beam apparatus comprised of a vacuum envelope with a matrix wire structure formed of row-directed wires and column-directed wires, and a spacer capable of forming an electrical connection with the plurality of wires. As claimed, the spacer is in electrical contact with only one wire of the row-directed or column-directed wires.

The claims of the Mitsutake '538 patent are directed to an electron beam apparatus that includes a vacuum envelope

having a spacer sandwiched between a pair of electrodes. The spacer is coated with a semiconductor film, and each of the electrodes is in electrical contact with the semiconductor film. An electroconductive bonding member mechanically bonds at least one of the electrodes to the spacer and electrically connects the electrode to the semiconductor film.

In rejecting the claims, the Office Action asserts that the claimed spacer in Mitsutake '538 is inherently electrically connected to only one of the row-directed or column-directed wires. It is respectfully submitted, however, that the electrical connection is formed between the semiconductor film on the spacer and the electrode (or wire). With this arrangement, it is not even inherent that the spacer itself is electrically connected at all, let alone electrically connected to only one wire of the row or column wires.

The claims of the '538 patent are directed to providing an electroconductive bonding member to mechanically bond and electrically connect the semiconductor film to the electrode, and not to a spacer that is in electrical contact with one of the row-directed or column-directed wires. Nonetheless, to even further distinguish Applicants' claimed invention, Claim 57 has been amended to recite that the spacer is in electrical contact with only one wire of the row-directed or column-directed wires.

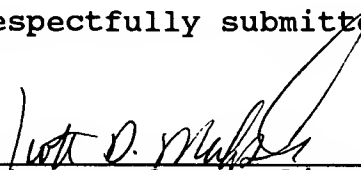
Accordingly, it is submitted that Applicants' claimed invention is distinct from the claims of the '538 patent, and therefore reconsideration and withdrawal of the double patenting rejection is respectfully requested.

Dependent Claims 58-63 set forth additional features of Applicants' invention which are submitted to be patentable in their own right. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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